

UNITED STATES OF AMERICA
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : HONORABLE JOSEPH E. IRENAS
Plaintiff : CRIMINAL NO. 05-706(JHR)
v. : AMENDED ORDER OF RELEASE
MICHAEL RODRIGUEZ :

APPEARANCES:

Carmelia M. Valdes, A.U.S.A.
Office of the United States Attorney
970 Broad Street, Room 700
Newark, NJ 07102

Donald DuBoulay, Esq.
401 Broadway, 25th Floor
New York, NY 10013

IRENAS, Senior U.S. District Judge:

It appearing that:

1. On September 9, 2004, the Court conducted a Bail Hearing as to defendant, Michael Rodriguez, at which time the Court granted bail. On September 10, 2004, the Court entered an Order Setting Conditions of Release, which, *inter alia*, provided that bailed be fixed at \$100,000, secured by 10 percent cash or property.
2. On September 9, 2004, the Appearance Bond was signed by the parties and entered by the Court on September 20, 2004.
3. On December 6, 2004, the defendant appeared before the Honorable Patty

Shwartz, U.S.M.J., for a bail violation hearing as a result of a new arrest and positive drug tests.

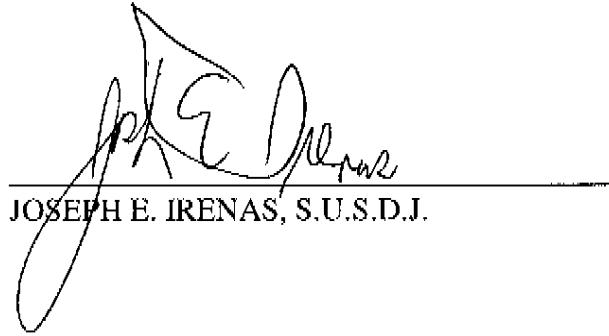
4. By order dated December 6, 2004, the Court entered an order modifying the conditions of release as to defendant, Michael Rodriguez.
5. On September 19, 2005, a Petition and Order for Action on Conditions of Pretrial Release as to Michael Rodriguez was signed by the Honorable Patty Shwartz, U.S.M.J.
6. On September 22, 2005, a Bail Violation Hearing was conducted by Judge Shwartz at which time the Court entered an Order of Detention as to defendant, Michael Rodriguez, revoking the conditions of release.
7. During a Plea Hearing held on September 30, 2005, before the Honorable Joseph E. Irenas, S.U.S.D.J., the court entertained defendant's application to restore bail. The Court reserved decision on the application and scheduled a telephone conference for October 5, 2005.
8. On October 5, 2005, the Court conducted the continued bail hearing, via telephone conference call with counsel on the record.
9. By Order dated October 5, 2005, the Court ordered defendant, Michael Rodriguez released on bail fixed at \$100,000, secured by 10 percent cash or property, with conditions. However, it appears that bail, as originally entered by the Court on September 10, 2004, and subsequently modified by Orders dated December 6, 2004 and April 29, 2005, was not cancelled by the Clerk of the Court and is, in fact, still in effect.

Therefore, for the reasons set forth above and good cause shown,

IT IS on this 25th day of October, 2005,

ORDERED THAT Bail is hereby **RESTORED** as originally set by Order dated

September 10, 2004, and thereafter modified by Orders dated December 6, 2004, and April 29, 2005, and all terms and conditions shall remain in full force and effect except as modified by the Order of Release entered by the Honorable Joseph E. Irenas, S.U.S.D.J., on October 5, 2005, namely.



JOSEPH E. IRENAS, S.U.S.D.J.

Copy to: Michael Rodriguez
302 Rosemont Place
Englewood, NJ 07631